



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.20922 of 2021

D.Sevugan

... Petitioner

vs.

1.The Tahsildar,
Taluk Office,
Madurai East Taluk,
Madurai District.

2.Uruvatti
3.Ramaiah
4.Rajendran
5.Ramayee
6.Aandammal
7.Alagar

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to issue Legal Heir Certificate to the descendents of the petitioner's father Late.Duraisamy (expired on 15.01.1959) of Mangalakudi Village, Madurai East Taluk, Madurai District, including all the legal heirs of the petitioner's father through 1st and 2nd wives, on the basis of the petitioner's representations dated 03.08.2021, within the time frame that may be stipulated by this Court.

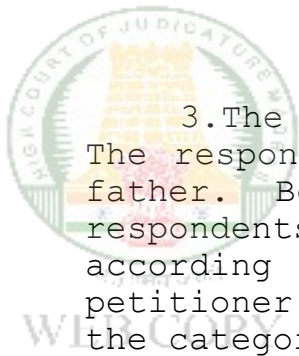
For Petitioner : Mr.R.Murugan

For R1 : Mr.D.Ghandiraj
Special Government Pleader

O R D E R

Mr.D.Ghandiraj, learned Special Government Pleader takes notice on behalf of the first respondent.

2.The Writ Petition has been filed in the nature of Writ of Mandamus, seeking a directing against the first respondent/Tahsildar, Taluk Office, Madurai East Taluk, Madurai District, to issue legal heirship certificate to the legal heirs of the father of the petitioner, namely, Duraisamy, who died on 15.01.1959, at Mangalakudi Village, Madurai East Taluk, Madurai District.



3.The petitioner is the son of the first wife of his father. The respondents 2 to 7 are the children of the second wife of his father. Both the petitioner's mother and the mother of the respondents 2 to 7, had unfortunately died. The only legal heirs, according to the petitioner herein, of his father, are the petitioner herein and the respondents 2 to 7. They all come under the category of children of Duraisamy.

4.Let necessary enquiry be done by the first respondent by issuing notice to the petitioner and also to the other named respondents in the writ petition, enquire whether they are all actually children of Late. Duraisamy, enquire whether there are any other children and enquire whether there are any other persons who would either directly or indirectly be affected by grant of legal heirship certificate and thereafter, proceed do the needful. The petitioner has also applied an online for grant of legal heirship certificate. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above observations, the writ petition is allowed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Tahsildar,
Taluk Office,
Madurai East Taluk, Madurai District.

+1 CC to M/s.SPL GP (SR-36046[F] dated 26/11/2021)

+1 CC to M/s.R. MURUGAN, Advocate (SR-35828[F] dated 25/11/2021)

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24.11.2021

RD(07.12.2021) 2P 4C